

ATTORNEY'S DOCKET NUMBER: 26964U

MAIL STOP PCT

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: September 20, 2005
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPN. NUMBER: (PCT/ISA/210) Not Yet Assigned <b>20/549631</b>
INTERNATIONAL APPLICATION NUMBER: PCT/EP2004/050373	INTERNATIONAL FILING DATE: 26 March 2004 (26.03.2004)	PRIORITY DATE CLAIMED: 27 March 2003 (27.03.2003) EP 27 March 2003 (27.03.2003) DE
TITLE OF INVENTION: PROCESS FOR PREPARING CRYSTALLINE CICLSONIDE WITH DEFINED PARTICLE SIZE		
APPLICANT(S) FOR DO/EO/US: SCHMIDT, Beate		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li><input checked="" type="checkbox"/> Other items or information:             <p>TRANSMITTAL LETTER; APPLICATION DATA SHEET; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2004/085460 A1, WITH THE INTERNATIONAL SEARCH REPORT (PCT/ISA/210); INTERNATIONAL PUBLICATION DATE: 7 October 2004 (07.10.2004), WHICH CONSISTS OF 17 PAGES: 1 PAGE FOR THE COVER SHEET, WHICH CONTAINS THE ABSTRACT, 12 PAGES OF TEXTUAL SPECIFICATION WITH EMBEDDED FORMULAS AND TABLES, 4 PAGES OF 27 CLAIMS WITH EMBEDDED FORMULAS, 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDIXES A AND B TO BE EXAMINED</b>; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY; FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION (PCT/IB/332); NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); PCT REQUEST (PCT/RO/101); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p> </li> </ol>		

ATTORNEY'S DOCKET NUMBER: 26964U

MAIL STOP PCT

U.S. APPLICATION NUMBER: (If known): Not Yet Assigned		INTERNATIONAL APPLICATION NUMBER: PCT/EP2004/050373		DATE: September 20, 2005			
The following fees are submitted:  21. Basic National Fee ..... \$ 300.00  22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) ..... \$ 100.00 All other situations ..... \$ 200.00  23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office ..... \$ 400.00 All other situations ..... \$ 500.00  Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.  ENTER APPROPRIATE BASIC FEE AMOUNT =				<b>CALCULATIONS</b>  \$ 300.00   \$ 200.00   \$ 400.00   \$ 900.00		<b>PTO USE ONLY</b>	
				Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00	
CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE				
TOTAL	27-20=	7	X \$ 50.00	\$ 350.00			
INDEPENDENT	3-3=	0	X \$ 200.00	\$ 0.00			
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00			
TOTAL OF ABOVE CALCULATIONS =				\$ 1,250.00			
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00			
SUBTOTAL =				\$ 1,250.00			
Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00			
TOTAL NATIONAL FEE =				\$ 1,250.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00			
TOTAL FEES ENCLOSED =				\$ 1,250.00			
				Amount to be: refunded	\$		
				charged	\$		

J005 Rec'd PCT/PTO 20 SEP 2005

ATTORNEY'S DOCKET NUMBER: 26964U

MAIL STOP PCT

U.S. APPLICATION NUMBER:  
(If known) **10/549631**  
Not Yet Assigned

INTERNATIONAL APPLICATION NUMBER:  
**PCT/EP2004/050373**

DATE: September 20, 2005

- a. ☒ One check in the amount of \$ 1,250.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form.  
☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> St., N.W., 6<sup>th</sup> Fl.,  
Washington, D.C. 20005-1503

Tel: 202-775-8383  
Fax: 202-775-8396



Gary M. Nath  
Reg. No. 26,965  
Sheldon M. McGee  
Reg. No. 50,454  
Customer No. 34375

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/549631

In re Application of:

SCHMIDT

Serial No.: Not Yet Assigned

Filed: September 20, 2005

Internat'l. Appl. No.: PCT/EP2004/050373

Internat'l. Filing Date: 26 March 2004 (26.03.2004)

Title: **PROCESS FOR PREPARING CRYSTALLINE CICLSONIDE WITH DEFINED PARTICLE SIZE**

JC05 Rec'd PCT/PTO 20 SEP 2005

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

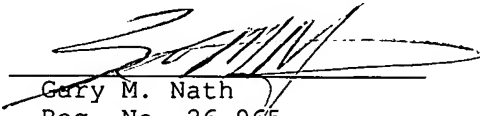
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Application Data Sheet;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (3) International Publication Number: WO 2004/085460 A1, with the International Search Report (PCT/ISA/210); International Publication Date: 7 October 2004 (07.10.2004), which consists of 17 pages:
  - 1 page for the Cover Sheet, which contains the Abstract,
  - 12 pages of Textual Specification with embedded formulas and tables,
  - 4 pages of 27 Claims with embedded formulas,
  - 0 sheets of Drawings;
- (4) **Preliminary Amendment with Appendixes A and B to be Examined;**
- (5) Unexecuted Declaration and Power of Attorney;
- (6) International Preliminary Report on Patentability;
- (7) First Notice Informing the Applicant of the Communication of the International Application To The Designated Offices (PCT/IB/308);
- (8) Second and Supplementary Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308);
- (9) Information Concerning Elected Offices Notified of Their Election (PCT/IB/332);
- (10) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (11) PCT Request (PCT/RO/101);
- (12) Check No.: 23648 in the Amount of \$ 1,250.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900.00), and for 7 total claims over 20 (\$350.00), as a Large Entity.
- (13) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: September 20, 2005

By:

  
Gary M. Nath  
Reg. No. 26,965  
Sheldon M. McGee  
Reg. No. 50,454  
Customer No. 34375

**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> St., N.W., 6<sup>th</sup> Fl.,  
Washington, D.C. 20005-1503  
Tel: 202-775-8383  
Fax: 202-775-8396  
GMN/SMM/le (Appl.NP.34375)